



**PATENT**

**Attorney Docket No. 14923US02**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MARC D. BETTER et al.

Serial No.: 10/816,276

Filing Date: March 31, 2004

For: HUMAN ENGINEERED  
ANTIBODIES TO EP-CAM

Examiner: unassigned

Group Art Unit No.: 1653

Confirmation No.: 1162

Customer No.: 23446

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)  
)  
) **EXPRESS MAIL NO. EV 326569000 US**

) **DATE OF MAILING: September 17, 2004**

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

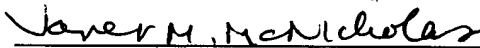
This is in response to the Notice to File Missing Parts (the "Notice") dated May 17, 2004 in the above-identified application. This response is filed with the appropriate Petition for a Two-month Extension of Time.

In the Notice, the oath/declaration was identified as missing. Enclosed for filing herewith is an original executed Declaration and Power of Attorney.

In the Notice, a \$65 surcharge under 37 C.F.R. §1.16(e) is requested. The Commissioner is further authorized to charge any deficiency or credit any excess portion of this fee to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Dated: September 17, 2004

  
\_\_\_\_\_  
Janet M. McNicholas, Ph.D.  
Reg. No. 32,918

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
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Telephone: (312) 775-8000  
Facsimile: (312) 775-8100



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**Attorney Docket No. 14923US02**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
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Serial No.: 10/816,276	)	<b>EXPRESS MAIL NO. <u>EV 326569000 US</u></b>
Filing Date: March 31, 2004	)	<b>DATE OF MAILING: <u>September 17, 2004</u></b>
For: HUMAN ENGINEERED	)	
ANTIBODIES TO EP-CAM	)	
Examiner: unassigned	)	
Group Art Unit No.: 1653	)	
Confirmation No.: 1162	)	
Customer No.: 23446	)	

**TRANSMITTAL LETTER**

Mail Stop ***Missing Parts***  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for appropriate action are the following :

1. Petition for two (2) month extension of time (including \$210.00 check);
2. A Response to the Notice to File Missing Parts of Nonprovisional Application  
(including \$65 check);
3. A copy of the Notice to File Missing Parts of Nonprovisional Application,  
dated May 17, 2004;
4. An executed Declaration for Patent Application and Power of Attorney; and
5. One return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 13-0017 in the name of McAndrews, Held & Malloy, Ltd.

Respectfully submitted,

Dated: September 17, 2004

Janet M. McNicholas  
Janet M. McNicholas, Ph.D.  
Reg. No. 32,918

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,276	03/31/2004	Marc D. Better	14923US02/100-266

Janet M. McNicholas, Ph.D.  
 McAndrews, Held & Malloy, Ltd.  
 34th Floor  
 500 West Madison  
 Chicago, IL 60661



CONFIRMATION NO. 1162

## FORMALITIES LETTER



\*OC000000012687195\*

Date Mailed: 05/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

09/20/2004 JBALINAN 00000081 10816276

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65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE